

**UNITED STATES DISTRICT COURT**  
**FOR THE WESTERN DISTRICT OF LOUISIANA**  
**SHREVEPORT DIVISION**

**HORACE ROBERSON**

**CIVIL ACTION NO. 16-958-P**

**VERSUS**

**JUDGE FOOTE**

**J. WHITTINGTON, ET AL.**

**MAGISTRATE JUDGE HORNSBY**

**J U D G M E N T**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, and noting the lack of written objections filed by Plaintiff and determining that the findings are correct under the applicable law;

**IT IS ORDERED** that Plaintiff's complaint is construed as a petition for writ of habeas corpus and is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies.

**THUS DONE AND SIGNED**, in chambers, in Shreveport, Louisiana, on this 31  
day of January 2017.



  
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**ELIZABETH ERNY FOOTE**  
**UNITED STATES DISTRICT JUDGE**